

## Article - Criminal Procedure

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§11–613.

(a) Notwithstanding any other provision of Part I of this subtitle and except as provided in subsection (b) of this section, a victim or other person or governmental unit may not execute on a judgment recorded and indexed under Part I of this subtitle if the restitution obligor:

(1) files a motion under the Maryland Rules to stay execution of the judgment of restitution and the motion has not been decided by the court; and

(2) challenges the conviction, sentence, or judgment of restitution by:

(i) filing an appeal in a State court or in federal court;

(ii) applying for leave to appeal following a plea of guilty in a circuit court;

(iii) filing a motion for exercise of revisory power by the sentencing court under the Maryland Rules;

(iv) filing an application for review of criminal sentence under Title 8 of this article; or

(v) filing a notice for in banc review under the Maryland Rules.

(b) If a restitution obligor has complied with the requirements of subsection (a) of this section and the court has not yet ruled on the request for a stay, a person or governmental unit may not execute on a judgment recorded and indexed under Part I of this subtitle until a court issues a final judgment that upholds the conviction, sentence, or judgment of restitution.

(c) A person or governmental unit may not execute on a judgment recorded and indexed under Part I of this subtitle until the time has expired in which a restitution obligor may file any of the actions listed under subsection (a)(2)(i) through (v) of this section.

(d) The judgment of restitution may be enforced in the same way that a monetary judgment is enforced.

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